

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TROY TICEY and CYNTHIA TICEY,

Plaintiffs,

v.

FEDERAL DEPOSIT INSURANCE
CORPORATION and DOES 1-30,

Defendants.

CASE NO. C22-1110 MJP

ORDER DENYING MOTION FOR
DEFAULT JUDGMENT

This matter comes before the Court on Plaintiffs' Motion for Default Judgment. (Dkt. No. 18.) Having reviewed the Motion, all supporting materials, and the docket, the Court DENIES the Motion.

Plaintiffs assert that although Defendant FDIC was served, it failed to timely respond to the complaint. (Mot. at 2.) As such, they contend that the Court should enter default judgment against Defendant FDIC.

There are two problems with Plaintiffs' request. First, Plaintiffs have not moved for entry of default against Defendant FDIC, as is required under Federal Rule of Civil Procedure 55(a).

1 Second, even if Plaintiffs had, their request would be improper. Defendant FDIC has appeared in
2 this action and been granted additional time to respond to the Complaint. As such, there are no
3 grounds to find it in default or to enter default judgment in Plaintiffs' favor under Rule 55. Entry
4 of default or default judgment would be improper and the Court DENIES the Motion.

5 The clerk is ordered to provide copies of this order to Plaintiffs and all counsel.

6 Dated January 5, 2023.

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8 Marsha J. Pechman
9 United States Senior District Judge
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